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DEPT OF TRANSPORTATION
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December 4, 2008

National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20890
Attention: Administrator

Re: Petition for Reconsideration: NPRM-2007-0014, RIN 2327-AK09

Ladies and Gentlemen,

This petition for reconsideration (this "Petition") is submitted by The C.E. White Co. ("CEW") with respect to NPRM-2007-0014 issued by the National Highway Traffic Safety Administration ("NHTSA") on October 21, 2008, at 49 CFR Part 571 (the "Final Rule"). Furthermore, this Petition supplements CEW's response to NHTSA's NPRM-2007-0014 submitted on January 21, 2008.

1. Minimum Height for Torso Anchor Point for Small Occupant Seating Position. CEW supports the Agency's decision to require that the torso anchor point for the center seating position of flex-seats in small school buses (referred to in the Final Rule as the "small occupant seating position") be located at least 400 mm (15.7 inches) above the Seating Reference Point. The Agency has noted that, in a crash, anchorage points located below the shoulder of seat occupants produce an unacceptable risk of spinal compression and other spinal and abdominal injuries to the seat occupant. As such, the goal of locating the small occupant seating position torso anchor point should be to ensure that it is located at or above the shoulder of most 10-year-olds (the intended occupants of the small seating position). As the Agency points out, an anchor point height of 400 mm is 37 mm (1.5 inches) higher than the shoulder height of the average 10-year-old, ensuring that the vast majority of occupants 10 years old and younger will have a much reduced risk of spinal compression and injuries. For the foregoing reasons, CEW believes agrees with the Agency that the torso anchor point for the small occupant seating position should be located at least 400 mm (15.7 inches) above the Seating Reference Point to reduce the risk of spinal and abdominal injuries.

2. Classification of Type A-2 School Buses as "Small" School Buses. CEW is of the opinion that the dividing line between "small" and "large" school buses, historically determined by reference to the vehicle's gross vehicle weight rating ("GVWR"), be raised to 6,576 kg (14,500 pounds). CEW believes that school buses that are exposed to the same or substantially similar conditions and dangers should be subject to the same or substantially similar safety requirements. School buses weighing between 4,536 kg (10,000 pounds) and 6,576 kg (14,500 pounds) (so-called "type A-2" buses) are built on a van chassis similar to that used in the manufacture of school buses weighing 4,536 kg (10,000 pounds) or less (so-called "type A-1" buses) and therefore exhibit many of the same characteristics of type A-1 school buses, such as

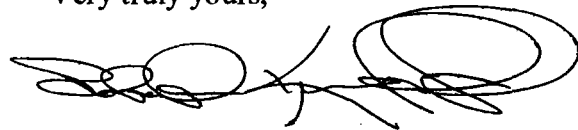
size, weight, maneuverability and stopping distance. These similarities mean that type A-1 and type A-2 school buses are exposed to similar crash conditions - specifically, the injuries and damage suffered in a crash of a type A-2 school bus resemble more closely those suffered in a crash of a type A-1 school bus than those suffered in a crash of a much larger vehicle such as other types of "large" school buses. As such, CEW believes that, because type A-2 school buses are exposed to the same dangers in crashes as type A-1 school buses, it would be appropriate that they be classified as "small" school buses and therefore subject to the same safety requirements as type A-1 school buses.

The Agency states, without explanation, that a reevaluation of the historical distinction between "small" and "large" school buses is beyond the scope of its rulemaking. CEW considers it to be part and parcel of the intent of the Final Rule to make determinations such as whether type A-2 school buses are more similar to type A-1 school buses than they are to other "large" school buses and whether to subject them to the requirements that relate to the designation of "small" school buses. Further, while CEW understands the value of historical conventions and distinctions that have proven useful over the years, when the available evidence shows that a convention no longer bears a relation to the facts "on the ground," CEW believes that an adjustment to the distinction is in order.

The Agency also notes that if it were to reclassify type A-2 school buses as "small" school buses, the result would be that small school buses would comprise 24% of the fleet rather than the current 7.2%. It is not clear to CEW why this result should have any bearing on whether type A-2 school buses are classified as "small" school buses and subject to the safety and other requirements relating thereto. CEW believes that the impact that a vehicle classification may have on market concerns should not be material to a determination regarding ensuring the safety of school bus occupants.

If the Agency has any questions regarding this Petition submitted by CEW, please direct any inquiries to Robert Knapp, Executive Vice President at (419) 492-2157.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert Knapp", with a large, stylized flourish at the end.

Robert Knapp, Executive Vice President
The C.E. White Co.